

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED:
ANTONIO ROWE	:	Violations:
a/k/a "David Racken"		21 U.S.C. § 841(a)(1) (Distribution of cocaine base ("crack") - 3 counts) Notice of Prior Conviction Notice of Forfeiture

**INDICTMENT**

**COUNT ONE**

THE GRAND JURY CHARGES THAT:

On or about March 21, 2002, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

ANTONIO ROWE  
a/k/a "David Racken"

knowingly and intentionally distributed more than five grams, that is approximately 27.2 grams, of  
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II  
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 4, 2002, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

ANTONIO ROWE  
a/k/a "David Racken"

knowingly and intentionally distributed more than five grams, that is approximately 25.9 grams, of  
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II  
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 4, 2002, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

ANTONIO ROWE  
a/k/a "David Racken"

knowingly and intentionally distributed more than 50 grams, that is approximately 52.5 grams, of  
a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II  
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

## **NOTICE OF FORFEITURE**

1. As a result of the violations of Title 21, United States Code, Section 841(a)(1) set forth in Counts One, Two and Three of this Indictment, defendant

ANTONIO ROWE  
a/k/a "David Racken"

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations of Title 21, United States Code, Section 841(a)(1) as charged in this Indictment;

(b) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of the violations of Title 21, United States Code, Section 841(a)(1) as charged in this Indictment, including but not limited to:

(1) \$3,400 in United States currency used by the government's agents to purchase cocaine base from the defendant between March 21, 2002 and September 4, 2002.

2. If any property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any property of said defendant, up to the value of said property listed above as being subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

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GRAND JURY FOREPERSON

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PATRICK L. MEEHAN  
*United States Attorney*

### **NOTICE OF PRIOR CONVICTION**

Defendant Antonio Rowe, a/k/a “David Racken,” committed the offenses charged in Counts One through Three of this Indictment after having been convicted in the Court of Common Pleas in Philadelphia County, Pennsylvania, of a felony drug trafficking offense as follows:

1. Possession with intent to distribute a controlled substance - Philadelphia Court of Common Pleas; CP #97-12-0192. Defendant was convicted and sentenced to three years probation on April 5, 1999, before the Honorable Joan Brown.